

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	<b>Criminal Case No. 3:10-cr-00032-1</b>
	)	
<b>v.</b>	)	<b><u>ORDER</u></b>
	)	
<b>RODNEY WAYNE BARNES,</b>	)	<b>By: Norman K. Moon</b>
<b>Petitioner.</b>	)	<b>United States District Judge</b>

In accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED**  
and **ADJUDGED** as follows:

- (1) Barnes' third motion to amend (Docket No. 414) is **GRANTED**;
- (2) The government's motion to dismiss (Docket No. 350) is **GRANTED**;
- (3) Barnes' motion pursuant to 28 U.S.C. § 2255 (Docket No. 344) is hereby  
**DISMISSED**;
- (4) Barnes' motion for an evidentiary hearing (Docket No. 368) is **DENIED** and his  
related motions (Docket Nos. 375 and 376) are **DISMISSED**;
- (5) Barnes' motion to appoint counsel (Docket No. 426) is **DENIED**;
- (6) This action shall be **STRICKEN** from the active docket of this court.
- (7) Finding that Barnes has failed to make a substantial showing of the denial of a  
constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is  
**DENIED**.

The Clerk is directed to send copies of this Order and the accompanying Memorandum  
Opinion to the parties.

**ENTER:**      This 13<sup>th</sup> day of April, 2015.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE